

**CITY OF SAN DIEGO
M E M O R A N D U M**

DATE: March 13, 2007

TO: Elizabeth Maland, City Clerk

FROM: Gerri Bollenbach, Assistant Engineer

SUBJECT: Approval of the final map "4157 Menlo Avenue"

The City Engineer has examined and states that he can make the necessary findings to approve the final map "4157 Menlo Avenue". Pursuant to Section 125.0630 M.C., please place the following notice as an information item in the Council Docket for March 26, 2007.

NOTICE of Pending Final Map Approval

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "4157 Menlo Avenue" (T.M. No. 236265 PTS No. 98364) located on the east side of Menlo Avenue south of Orange Avenue in the Mid-City: City Heights Community Plan area in Council District 3, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

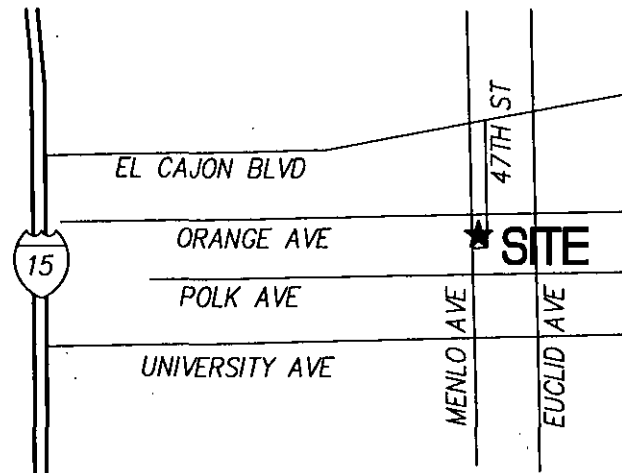
Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Anne Hoppe at (619) 446-5290.

cc: W.O. 426203 PTS 98364

Attachment: Vicinity map,
Reduced copy of map

4157 MENLO AVENUE
CITY PROJECT NO. 98364

000544



N.T.S.

VICINITY MAP

MAP NO.

SHEET 1 OF 2 SHEETS

000545

4157 MENLO AVENUE

BEING A CONSOLIDATION AND SUBDIVISION OF LOTS 9 AND 10 IN BLOCK 2 OF CHESTER PARK ADDITION, IN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1354 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 23, 1911.

TOGETHER WITH THOSE PORTIONS OF MENLO AVENUE AND UNNAMED ALLEY, AS DEDICATED TO PUBLIC USE.

THIS IS A MAP OF A CONDOMINIUM PROJECT AS DEFINED IN SECTION 1350 ET. SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT, THE PLANNING COMMISSION RESOLUTION NO. 3826-PC DATED JANUARY 12, 2006 APPROVES 7 RESIDENTIAL CONDOMINIUM UNITS.

SUBDIVISION GUARANTEE FURNISHED BY: FIRST AMERICAN TITLE COMPANY ORDER NO. 1855278 (22).

SURVEYOR'S CERTIFICATE:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF MR. R. YABOWSKI AND MRS. J. YABOWSKI ON FEBRUARY 28, 2006. I CERTIFY THAT SAID SURVEY IS TRUE AND COMPLETE AS SHOWN AND THAT ALL MONUMENTS FOUND TOGETHER WITH THOSE SET, ARE OF CHARACTER INDICATED AND OCCUPY THE POSITIONS SHOWN THEREON AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED (SEE LEGEND ON SHEET NO. 2).

I HEREBY STATE THAT THIS SUBDIVISION MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.



D. SCOTT PETERS, L.S. 7190 DATE
EXPIRES DECEMBER 31, 2007

CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT THIS MAP WAS EXAMINED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT SUBSTANTIALLY CONFORMS TO THE TENTATIVE MAP, IF ANY, AND ANY APPROVED ALTERATIONS THEREOF; THAT IT COMPLES WITH THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP AND THAT IT IS TECHNICALLY CORRECT.

I ALSO CERTIFY THAT THERE ARE NO UNPAID BONDS ISSUED UNDER THE STREET IMPROVEMENT ACTS OF THE STATE OF CALIFORNIA AGAINST THIS SUBDIVISION.

HOSSEN RUM, CITY ENGINEER

BY: LEROY C. HENNES, DEPUTY L.S. 4804 DATE

CLERK OF THE BOARD CERTIFICATE:

I, THOMAS J. PASTUSZKA, CLERK OF THE BOARD OF SUPERVISORS, HEREBY STATE THAT THE PROVISIONS OF THE SUBDIVISION MAP ACT (DIVISION 2 OF TITLE 7 OF THE GOVERNMENT CODE) REGARDING (A) DEPOSITS FOR TAXES, AND (B) CERTIFICATION OF THE ABSENCE OF LIENS FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES, EXCEPT THOSE NOT YET PAYABLE, HAVE BEEN COMPLIED WITH.

THOMAS J. PASTUSZKA BY: DEPUTY DATE
CLERK OF THE BOARD OF SUPERVISORS

COUNTY RECORDER'S CERTIFICATE:

FILE NO. _____
I, GREGORY J. SMITH, RECORDER OF THE COUNTY OF SAN DIEGO, HEREBY CERTIFY THAT I HAVE ACCEPTED FOR RECORDATION THIS MAP FILED AT THE REQUEST OF D. SCOTT PETERS, THIS _____ DAY OF _____, 2006 AT _____ O'CLOCK, _____ A.M.

GREGORY J. SMITH BY: DEPUTY
COUNTY RECORDER
FEZ. \$ 10.00

OWNERS CERTIFICATE:

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LAND DESCRIBED WITHIN THE SUBDIVISION TO BE KNOWN AS "4157 MENLO AVENUE," AND WE HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP CONSISTING OF 2 SHEETS AND DESCRIBED IN THE CAPTION THEREOF.

IT IS OUR INTENT TO SUBSIDE AND LATER CONVEY OUR ENTIRE INTEREST IN THE REAL PROPERTY SHOWN ON THIS MAP WITHIN THE HEAVY BORDER, INCLUDING ANY REVERSION RIGHTS THAT MAY EXIST WITHIN THE ADJOINING PUBLIC RIGHTS-OF-WAY. IT IS NOT OUR INTENT TO ALTER OR SEVER THE LEGITIMATE RIGHTS OF OTHERS WHO MAY HAVE A CLAIM ON THOSE REVERSION RIGHTS THROUGH PRIOR CONVEYANCES.

4157 MENLO AVENUE, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY,
OWNER

BY: GABHART INVESTMENTS, INC.

BY: CURTIS GABHART DATE

CHINATrust BANK, A CALIFORNIA BANKING CORPORATION, AS
BENEFICIARY UNDER DEED OF TRUST RECORDED JUNE 22, 2006 AS
INSTRUMENT NO. 2006-0443883 OF OFFICIAL RECORDS.

BY: BY:
TITLE: TITLE:

SIGNATURE OMISSION STATEMENT:

THE SIGNATURE OF THE CITY OF SAN DIEGO, OWNER OF AN EASEMENT AND RIGHT OF WAY FOR STREET PURPOSES AS DEDICATED BY THE MAP THEREOF NO. 1354, HAS BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436, SUBSECTION (G)(3)(A)(I) OF THE SUBDIVISION MAP ACT. THEIR INTEREST IS SUCH THAT THEY CANNOT RIPEN INTO A FEE TITLE AND SAID SIGNATURE IS NOT REQUIRED BY THE GOVERNING BODY.

NOTARY ACKNOWLEDGMENT:

STATE OF CALIFORNIA SS
COUNTY OF SAN DIEGO

ON _____ BEFORE ME, _____
PERSONALLY APPEARED _____
PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON (S) WHOSE NAME (S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT (HE/SHE/THEY) EXECUTED THE SAME IN (HIS/HER/THEIR) AUTHORIZED CAPACITY (IES), AND THAT BY (HIS/HER/THEIR) SIGNATURE (S) ON THE INSTRUMENT THE PERSON (S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON (S) ACTED EXECUTED THE INSTRUMENT.

WITNESS MY HAND

SIGNATURE: _____

PRINTED NAME: _____

A NOTARY PUBLIC IN AND FOR SAID STATE

PRINCIPAL PLACE OF BUSINESS IS COUNTY OF _____

MY COMMISSION EXPIRES _____

STATE OF CALIFORNIA SS
COUNTY OF SAN DIEGO

ON _____ BEFORE ME, _____
PERSONALLY APPEARED _____
PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON (S) WHOSE NAME (S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT (HE/SHE/THEY) EXECUTED THE SAME IN (HIS/HER/THEIR) AUTHORIZED CAPACITY (IES), AND THAT BY (HIS/HER/THEIR) SIGNATURE (S) ON THE INSTRUMENT THE PERSON (S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON (S) ACTED EXECUTED THE INSTRUMENT.

WITNESS MY HAND

SIGNATURE: _____

PRINTED NAME: _____

A NOTARY PUBLIC IN AND FOR SAID STATE

PRINCIPAL PLACE OF BUSINESS IS COUNTY OF _____

MY COMMISSION EXPIRES _____

CITY CLERK'S CERTIFICATE:

I, ELIZABETH WALAND, CITY CLERK OF THE CITY OF SAN DIEGO, CALIFORNIA, HEREBY CERTIFY THAT THE CITY ENGINEER HAS APPROVED THIS SUBDIVISION MAP. I ALSO CERTIFY THAT PROPER PUBLIC NOTICE HAS BEEN GIVEN OF THAT APPROVAL ON _____, 2006, AND THAT THE LEGAL APPEAL PERIOD HAS EXPIRED.

IN WITNESS WHEREOF THESE PRESENTS, I HEREBY EXECUTE AND ATTEST BY SEAL THIS _____ DAY OF _____, 2006.

ELIZABETH WALAND
CITY CLERK

BY: DEPUTY



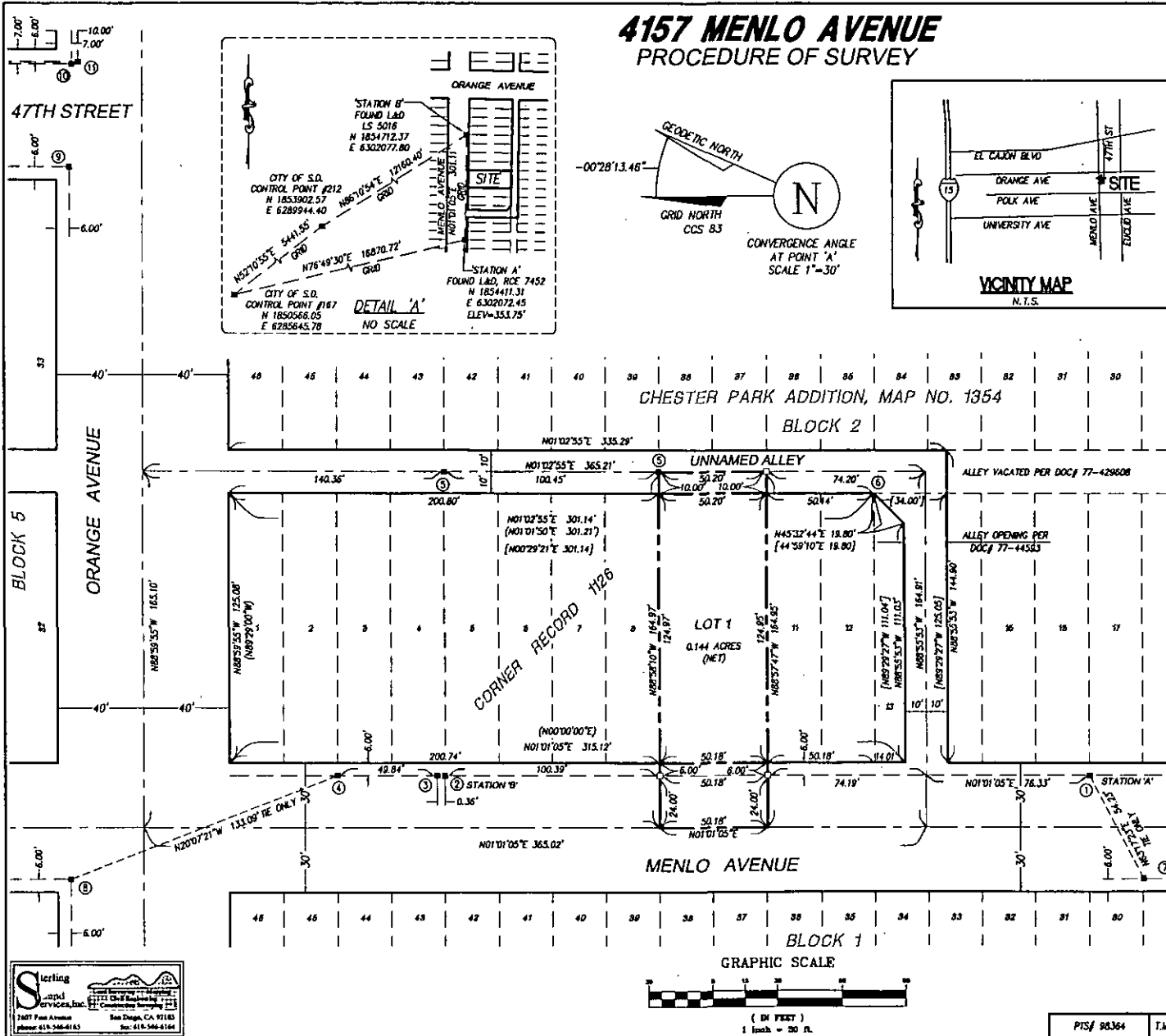
PTS/ 98364 T.M. NO. 236265 JO/ 426203 CCS 83 1854-6299 L.C. 214-1739

MAP NO.

SHEET 2 OF 2 SHEETS

000546

4157 MENLO AVENUE PROCEDURE OF SURVEY



BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NAD 83 CALIFORNIA COORDINATE SYSTEM ZONE 8, EPOCH 1991.34 MEASURED TO STATION 'A' AND 'B' ARE SHOWN HEREON. STATION 'A' AND 'B' ARE ADJUSTED TO CITY OF S.D. CONTROL POINTS 187 AND 212 PER RDS 14492. BEARING FROM STATION A TO STATION B BEING: N 01°01'05" E

QUOTED BEARINGS FROM REFERENCE MAPS OR DEEDS MAY OR MAY NOT BE IN THE TERMS OF SAID SYSTEM.

THE COMBINED GRID FACTOR AT STATION 'A' IS 0.99999292
GRID DISTANCE = GROUND DISTANCE (X) COMBINED GRID FACTOR.

LEGEND:

- INDICATES SET LEAD AND DISC STAMPED "L.S. 7190"
 - INDICATES FOUND LEAD AND DISC OR LEAD AND TACK AS NOTED, SEE MONUMENT TABLE
 - () INDICATES RECORD DATA PER CORNER RECORD 1126
 - [] INDICATES RECORD DATA PER DOC# 77-44583
 - INDICATES SUBDIVISION BOUNDARY
 - - - INDICATES PROPERTY OFFSET LINE
 - INDICATES CENTERLINE OF STREET
- TOTAL AREA OF SUBDIVISION = 0.190 ACRES
TOTAL NUMBER OF LOTS = 1

NOTES:

- MENLO AVENUE, ORANGE AVENUE AND THE UNNAMED ALLEY WERE DEDICATED PER MAP NO. 1354 OF THE CHESTER PARK ADDITION IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 23, 1911, UNLESS OTHERWISE NOTED.
- POSITION OF LOTS 1-12 OF MAP 1354 ESTABLISHED PER CORNER RECORD NO. 1126.
- THE LOT CORNER SET ALONG THE SIDELINE OF THE DEDICATED STREET RIGHT OF WAY IS MONUMENTED BY A DISC STAMPED L.S. 7190, SET ALONG THE EXTENSION OF THE PROPERTY LINE AT AN OFFSET OF 7.00' IN THE CONCRETE SIDEWALK.
- THE LOT CORNER SET ALONG THE SIDELINE OF THE DEDICATED ALLEY RIGHT OF WAY IS MONUMENTED BY A DISC STAMPED L.S. 7190, SET ALONG THE EXTENSION OF THE PROPERTY LINE AT AN OFFSET OF 10.00' IN THE CONCRETE SIDEWALK.

MONUMENT TABLE:

- FOUND LEAD & DISK, RCE 7452 ON 6' OFFSET PER CORNER RECORD 1126.
- FOUND LEAD & DISK, LS 5016 ON 6' OFFSET PER CORNER RECORD 1126.
- FOUND LEAD & DISK, RCE 25931 ON 6' OFFSET PER CORNER RECORD 1126.
- FOUND LEAD & TACK ACCEPTED AS 6' x 6' OFFSET, NO RECORD.
- FOUND LEAD & DISK, LS 5016 ON CL OF ALLEY PER CORNER RECORD 1126.
- FOUND 3/4" IRON PIPE ON WLY R-O-W OF ALLEY PER C.R. 1126.
- FOUND LEAD & DISK, RCE 7452 ON 6' OFFSET PER C.R. 1604.
- FOUND LEAD & DISK, CITY ENG ACCEPTED AS 6' x 6' OFFSET, NO RECORD.
- FOUND LEAD & DISK, CITY ENG ON 6' x 6' OFFSET PER C.R. 21760.
- FOUND LEAD & DISK, CITY ENG ON 7' x 7' OFFSET PER C.R. 21760.
- FOUND LEAD & DISK, CITY ENG ON 6' x 10' OFFSET PER C.R. 21760.



PTS# 98364 T.M. NO. 236265 JO# 426203 CCS 83 1854-8299 L.C. 214-1739